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09/870,800	06/01/2001	Richard S. Norman	13689	8344
293	7590	11/29/2004	EXAMINER	
DOWELL & DOWELL PC 1215 Jefferson Davis Highway Suite 309 Arlington, VA 22202-3124			LEE, ANDREW CHUNG CHEUNG	
			ART UNIT	PAPER NUMBER
			2664	

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/870,800

Applicant(s)

NORMAN ET AL.

Examiner

Andrew C Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>Oct 23, 2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

- Fig. 4 (page 4/21 of drawings), "there are assumed to be four queue controllers 710₁, 710₂, 710₃, 710₄, that" as disclosed on page 39 lines 12 – 13; and "let the request from queue controller 710₁, 710₂, 710₃, 710₄, be associated with" On page 39 lines 16 – 17; also pages 39 – 42 with referenced queue controller 710₁, 710₂, 710₃, 710₄.
- Fig. 5 (page 5/21), "The data memory 502 contains M* slots 508_A, 508_B,..... " as disclosed on page 47, line 17; "the data memory 502 includes three slots 508_A, 508_B, 508_C, as disclosed on page 49 lines 1 – 4; " a plurality of entries 514_A, 514_B", as disclosed on page 49, lines 9 –10; " the respective slots 508_A, 508_B," as disclosed on page 49, lines 11 – 12; " the entries 514_A, 514_B" as disclosed on page 49, line 15; and "let slots 508_A, 508_B, 508_C, .." as disclosed on page 50 line 32"; " slot 508_C." as disclosed on page 51 lines 7 and 27; "slots 508_A, 508_B," As disclosed on page 53, line 16.

- Fig. 9 (page 9/21 of drawings), the reference element “a transmitter 940” as disclosed on page 69, line 20 and the reference element “via a *base_address* line 982” as disclosed on page 87, line 8; line 17; “Segment 913 includes M slots 908_A, 908_B ,” as disclosed on page 71, line 5; “slots 908_A , 908_B ,” as disclosed on page 71, line 16; “slots 908_A , 908_B , 908_C , 908_D, 908_E ...” as disclosed on page 73, lines 8 – 9; “slots 908_A and 908_B” as disclosed on page 73 line 16; “transmitter 940” as disclosed on page 74, line 28; page 75, line 2; “slots 908_A , 908_B , ...” as disclosed on page 76 line 32.
- Fig. 20 (page 21/21 of drawings), the reference element “*free_slot* lines 207” as disclosed on page 92, line 6 and 8, respectively.
- Fig. 14 (page 14/21 of drawings), the reference element “ via an asynchronous peripheral bus 1472” as disclosed on page 96 lines 2 – 3.
- Fig. 16 (page 16/21 of drawings), the reference element “ a transmitter 1440” as disclosed on page 99, line 24; page 100, line 13.
- Fig. 11 Fig. 11 (page 11/21 of drawings), the reference term “ an alternative interconnect pattern 112” as disclosed on page 12, lines 30 – 31.

Reference characters mentioned in the description must appear in the drawings.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version

of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to because Fig. 1 (page 1/21 of drawings), the reference number " 116' " and " 116" ". Reference characters (numerals are preferred), sheet numbers, and view numbers must be plain and legible, and must not be used in association with brackets or inverted commas, or enclosed within outlines, e.g., encircled. They must be oriented in the same direction as the view so as to avoid having to rotate the sheet. Reference characters should be arranged to follow the profile of the object depicted. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct

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any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 10 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. "A switch fabric as defined in claim 1, said array of cells forms a toroidal mesh arrangement". The Office would request the Applicant to provide more clarification on Pages 14, line 31 – 32, the concept and exact meaning (as well as the visual diagram)

of "Other patterns such as a hypercube or three- (or higher-) dimensional toroidal mesh
can similarly be created using the cells...";

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1 – 8, 12 – 44 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang et al. (U.S. Patent No. 6731631 B1).

Regarding Claim 1, Chang et al. discloses the limitation of a switch fabric implemented on a chip (Fig. 1, column 5, line 33), comprising: a) an array of cells (column 6, element 104, line 2; lines 7 – 11); b) an I/O interface in communication with said array of cells for permitting exchange of data packets between said array of cells and components external to said array of cells (column 5, lines 66 – 67); c) each cell communicating with at least one other cell of said array permitting exchange of data packets between the cells of said array (column 6, lines 1 – 4); d) each cell including: I) a memory for receiving a data packet from another cell of said array (Fig.2, Fig.3, elements "Packet Memory and Lookup Memory"); II) a control entity to control release of

a data packet toward a selected destination cell of said array at least in part on a basis of a degree of occupancy of the memory in said destination cell (Fig. 2, elements 202a, 202b, 202c, 202d; Fig. 3, elements 302a and 302b for Octal Fast Port Controller and Gigabit Port Controller, respectively. Column 9, lines 20 – 25).

Regarding Claim 2, Chang et al. discloses the limitation of a switch fabric as defined in claimed wherein each cell of said array (Fig. 20, element 2000) includes: a) a transmitter in communication with said I/O interface (Fig. 20, element 2006, column 16, lines 9 – 13) and in communication with every other cell of said array (column 16, lines 9 – 13), said transmitter operative to process a data packet received from said I/O interface to determine a destination of the data packet and forward the data packet to at least one cell of said array selected on a basis of the determined destination (Column 16, lines 13 – 19; lines 29 – 32); b) a plurality of receivers associated with respective cells from said array (Fig. 20, element 2002), each receiver being in communication with a respective cell allowing the respective cell to forward data packets to the receiver (column 15, lines 58 – 61); c) said receivers in communication with said I/O interface for releasing data packets to said I/O interface (column 15, lines 66 – 67; column 16, 1 – 6).

Regarding Claims 3 and 4, Chang et al. discloses the limitation of a switch fabric as defined in claimed, wherein said array of cells includes a plurality of data channels (column 15, lines 50 – 58), each data channel being associated with a given cell (column 15, lines 43 – 49), the data channel associated with said given cell connecting

the transmitter of said given cell to receivers in cells other than said given cell and associated with said given cell (column 15, lines 58 – 61; lines 66 – 67; column 16, lines 1 – 2).

Regarding Claim 5, Chang et al. discloses the limitation of a switch fabric as defined in claim 4, wherein the plurality of data channels are independent from one another (column 6, lines 44 – 46), wherein transmission of a data packet over one data channel is made independently of a transmission of a data packet over another data channel (column 6, lines 55 – 59; column 8, lines 15 – 18; Fig. 10, column 11, lines 45 – 48).

Regarding Claim 6, Chang et al. discloses the limitation of a) A switch fabric as defined in claim 5, wherein each data channel performs a parallel data transfer (Fig. 10, elements 1002, 1004, 1006 and 1008; column 11, lines 45 – 48).

Regarding Claim 7, Chang et al. discloses the limitation of a switch fabric as defined in claim 1, wherein said array of cells forms a matrix (Fig.1, column 15, line 67; column 16, 1 – 2; lines 9 – 13).

Regarding Claim 8, Chang et al. discloses the limitation of a switch fabric as defined in claim 7, wherein said matrix is bi-dimensional (column 6, lines 2 – 4).

Regarding Claim 11, Chang et al. discloses the limitation of a switch fabric as defined in claim 2, wherein said memory is a first memory (Fig. 3, packet memory of element 302a) and wherein the transmitter of said given cell includes a second memory for storing data packets received from said I/O interface (Fig. 3, packet memory (16M) of element 302b).

Regarding Claim 12, Chang et al. discloses the limitation of a switch fabric as defined in claim 11, wherein said second memory includes a plurality of segments (Fig. 17, elements 1702, 1704, 1706 and 1708; column 14, lines 34 – 37), each segment being associated with a receiver in a cell of said array to which the transmitter of said given cell is capable of forwarding a data packet via the data channel (column 14, lines 37 – 39; column 14, lines 58 – 61; column 15, lines 6 – 10).

Regarding Claim 13, Chang et al. discloses the limitation of a switch fabric as defined in claim 12, wherein the transmitter of said given cell includes said control entity (column 16, lines 14 – 19), said control entity being operative to process a data packet forwarded from said I/O interface to determine a cell of said array to which the data packet is destined (column 16, lines 21 – 29) and identify on a basis of the determined cell a segment of said second memory into which the packet is to be loaded (column 16, lines 24 – 32).

Regarding Claim 14, Chang et al. discloses the limitation of a switch fabric as

defined in claim 13, wherein said control entity includes a plurality of queue controllers associated with respective segments of said second memory (column 16, lines 42 – 47).

Regarding Claim 15, Chang et al. discloses the limitation of a switch fabric as defined in claim 14, wherein said second memory implements a plurality of registers (Fig. 17, elements 1710, 1714, 1718), each register being associated with a queue controller (column 16, lines 42 – 47) and being suitable for holding data representative of a degree of occupancy of a segment of said second memory associated with the queue controller (column 16, lines 33 – 40).

Regarding Claim 16, Chang et al. discloses the limitation of a switch fabric as defined in claim 15, wherein a data packet received by said transmitter from said I/O interface is characterized by a priority level selected in a group of priority levels (column 14, lines 32 – 33), each segment of said second memory being partitioned into slots (column 14, lines 34 – 39), each slot capable of storing at least one data packet (column 14, lines 44 – 46), each slot being associated with a given priority level of said group of priority levels (column 14, lines 47 – 54).

Regarding Claim 17, Chang et al. discloses the limitation of a switch fabric as defined in claim 16, wherein the registers of said second memory associated with each queue controller store data indicative of a degree of occupancy of the slots of said

segment associated with the queue controller, for each priority level of the group of priority levels (column 16, lines 42 – 47).

Regarding Claim 18, Chang et al. discloses the limitation of a switch fabric as defined in claim 13, wherein said first memory is divided into a plurality of sectors associated with respective ones of said receivers (Fig. 14, column 13, lines 1 – 10), said sectors capable of storing data packets forwarded to said receivers by cells of said array (column 13, lines 11 – 18), said control entity being operative to communicate with each receiver associated with said given cell to assess a degree of occupancy of the sector of each receiver associated with said given cell (column 16, lines 42 – 47).

Regarding Claim 19, Chang et al. discloses the limitation of a switch fabric as defined in claim 18, wherein said control entity communicates with each receiver associated with said given cell to assess the degree of occupancy of the sector of each receiver associated with said given cell, over a back channel (Fig. 33. element 3300, column 5, lines 52 – 55; column 23, lines 51 – 55).

Regarding Claim 20, Chang et al. discloses the limitation of a switch fabric as defined in claim 19, including a plurality of back channels (Fig. 33, elements 3306, 3304, 3302), there being a dedicated back channel between said control entity and each receiver associated with said given cell (Fig. 33, column 24, lines 29 – 36).

Regarding Claim 21, Chang et al. discloses the limitation of a switch fabric as defined in claim 20, wherein each back channel transfers data serially (column 23, lines 56 – 57).

Regarding Claim 22, Chang et al. discloses the limitation of a switch fabric as defined in claim 19, wherein said second memory includes an area for storing data indicative of the degree of occupancy of the sector of each receiver associated with said given cell (column 16, lines 34 – 40).

Regarding Claim 23, Chang et al. discloses the limitation of a switch fabric as defined in claim 22, wherein said control entity (column 16, lines 20) is operative to process the data indicative of the degree of occupancy of the sector of each receiver associated with said given cell to determine which data packet stored in said second memory is suitable for transmission to a receiver (column 16, lines 24 – 29).

Regarding Claim 24, Chang et al. discloses the limitation of a switch fabric as defined in claim 23, wherein when said control entity (column 16, lines 20) determines that a data packet is suitable for transmission, said control entity generates a control signal to request transmission of the data packet (column 16, lines 29 – 32).

Regarding Claim 25, Chang et al. discloses the limitation of a switch fabric as defined in claim 24, wherein when said control entity determines that a plurality of data

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packets are suitable for transmission (column 16, lines 43 - 47), said control entity generates a plurality of control signals to request transmission of the data packets (column 16, lines 57 - 61), each control signal being associated with a data packet (column 16, lines 61 - 64).

Regarding Claim 26, Chang et al. discloses the limitation of a switch fabric as defined in claim 25, wherein said control entity includes an arbiter (column 16, lines 20 - 21) for processing said control signals to select a data packet to transmit among the plurality of data packets suitable for transmission (column 16, lines 29 - 32).

Regarding Claim 27, Chang et al. discloses the limitation of a switch fabric as defined in claim 26, wherein a data packet is characterized by a priority level (column 14, lines 34 - 37), wherein each control signal conveys the priority level of the data packet associated with the control signal (column 14, lines 40 - 47).

Regarding Claim 29, Chang et al. discloses the limitation of a switch fabric as defined in claim 28 wherein said arbiter processes control signals to request transmission of data packets in a round robin manner (Fig. 38, column 28, lines 32 - 51).

Regarding Claims 28 and 30, Chang et al. discloses the limitation of a switch fabric as defined in claim 27, wherein said arbiter selects a data packet to transmit among the plurality of data packets suitable for transmission on a basis of the priority

levels of the plurality of data packets suitable for transmission (column 14, lines 34 – 39).

Regarding Claim 29, Chang et al. discloses the limitation of a switch fabric as defined in claim 28 wherein said arbiter processes control signals to request transmission of data packets in a round robin manner (Fig. 38, column 28, lines 32 – 51).

Regarding Claim 31, Chang et al. discloses the limitation of a switch fabric as defined in claim 18, wherein each receiver of said plurality of receivers communicates with said I/O interface (column 15, lines 55 – 56).

Regarding Claim 32, Chang et al. discloses the limitation of a switch fabric as defined in claim 31, wherein said control entity is a first control entity (Fig. 20, element 2008a, column 15, lines 63 – 65) and wherein said plurality of receivers include a second control entity to regulate a release of data packets from said sectors to said I/O interface (column 16, 24 – 32).

Regarding Claim 33, Chang et al. discloses the limitation of a switch fabric as defined in claim 32, wherein said second control entity includes a plurality of queue controllers associated with respective sectors of said first memory (Fig. 20, element 2012, column 16, lines 42 – 47).

Regarding Claim 34, Chang et al. discloses the limitation of a switch fabric as defined in claim 33, wherein a data packet received by a receiver of said plurality of receivers is characterized by a priority level selected in a group of priority levels (column 13, lines 44 – 45), each sector of said second memory being divided into subdivisions (column 13, lines 57 – 58), each subdivision capable of storing at least one data packet (column 14, lines 1 – 2), each subdivision being associated with a given priority level of said group of priority levels (Fig. 17, column 14, lines 34 – 37).

Regarding Claim 35, Chang et al. discloses the limitation of a switch fabric as defined in claim 34, wherein said second control entity includes an arbiter in communication with said queue controllers (Fig. 20, element 2012, column 16, lines 42 – 47), each queue controller operative to transmit a control signal to said arbiter for each data packet held in the sector associated with the queue control to request release of the data packet to said I/O interface (column 14, lines 10 – 23).

Regarding Claim 36, Chang et al. discloses the limitation of a switch fabric as defined in claim 35, wherein each control signal conveys the priority level of the data packet associated with the control signal (column 13, lines 66 – 67; column 14, 2 – 6).

Regarding Claim 37, Chang et al. discloses the limitation of a switch fabric as defined in claim 36, wherein said arbiter selects a data packet for release to said I/O

interface among the data packets corresponding to the control signals transmitted to said arbiter on the basis of the levels of priority of the data packets corresponding to the control signals transmitted to said arbiter (Fig. 17, column 14, lines 31 – 47).

Regarding Claim 38, Chang et al. discloses the limitation of a switch fabric as defined in claim 2, wherein each data packet comprises a plurality of words including a first word of said data packet and a last word of said data packet (Fig. 6, element 600; lines 55 – 58), wherein each word comprises a field indicative of whether said word is a pre-determined number of words away from said last word of said data packet (Fig. 6, element 610 (length); column 10, lines 55 – 58).

Regarding Claim 39, Chang et al. discloses the limitation of a switch fabric as defined in claim 38, wherein the transmitter is operative to monitor said field in each word of each data packet forwarded to at least one cell of said array (Fig. 8, column 11, lines 11 – 20), the transmitter further being operative to begin forwarding a next data packet upon detecting that said field of a word in a packet currently being forwarded is indicative of said word being a pre-determined number of words away from the last word of said data packet currently being forwarded (Fig. 10, column 11, lines 45 – 54).

Regarding Claims 40, 41, Chang et al. discloses the limitation of a switch fabric as defined in claim 3, each cell further including a central processing unit (CPU) connected to the transmitter (Fig. 20, element 2008 (2008a, 2008b, 2008c); element

2006; column 15, lines 39 – 43), said transmitter being further operative to process a data packet received from said CPU to determine a destination of the data packet and forward the data packet to at least one cell of said array selected on the basis of the determined destination (column 16, lines 13 – 19), wherein data packets received by the transmitter in a given cell from the I/O interface and from the CPU in said given cell share the data channel associated with said given cell (column 16, lines 24 – 32).

Regarding Claim 42, Chang et al. discloses the limitation of a) A switch fabric as defined in claim 2, each cell further including a central processing unit (CPU) connected to the plurality of receivers (Fig. 20, element 2008 (2008a, 2008b, 2008c); element 2006; column 15, lines 39 – 43; lines 47 – 49), said receivers being further operative to determine whether data packets are to be released to the I/O interface or to the CPU and release said data packets accordingly (column 15, lines 58 – 65).

Regarding Claim 43, Chang et al. discloses the limitation of a switch fabric as claimed in claim 42, wherein each data packet comprises a field indicative of whether the data packet is destined for a CPU (column 15, lines 3 – 5) and wherein said receivers are operative to determine whether data packets are to be released to the I/O interface or to the CPU on the basis of said field (column 15, lines 6 – 12).

Regarding Claim 44, Chang et al. discloses the limitation of a switch fabric as defined in claim 25, each cell further including a central processing unit (CPU)

connected to the plurality of receivers (Fig. 20, element 2008 (2008a, 2008b, 2008c); element 2006; column 15, lines 39 – 43; lines 47 – 49), wherein said control entity includes a first arbiter for processing said control signals to select a data packet to transmit to the I/O interface among the plurality of data packets suitable for transmission to the I/O interface (column 15, lines 3 – 5), wherein said control entity includes a second arbiter for processing said control signals to select a data packet to transmit to the CPU among the plurality of data packets suitable for transmission to the CPU (column 15, lines 6 – 12).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (U.S. Patent No. 6731631 B1) in view of McCrosky et al. (U.S. Patent No. 6741 552 B1).

Regarding Claim 9, Chang et al. discloses the limitation of a switch fabric as defined in claim 1, wherein said array of cells forms a matrix (Fig.1, column 15, line 67; column 16, 1 – 2; lines 9 – 13). Chang et al. does not disclose a switch fabric as defined

in claim 7, wherein said matrix is three-dimensional. McCrosky et al. discloses the limitation of a switch fabric as defined in claim 7, wherein said matrix is three-dimensional (Abstract, line 7; column 2, lines 44 – 45). It would have been obvious to modify Chang et al. to include a switch fabric as defined in claim 7, wherein said matrix is three-dimensional such as that taught by McCrosky et al. in order to offer a powerful, simple and in many ways elegant solution to the problem of providing cost-effective, high-bandwidth, fault-tolerant data switching.

Regarding Claim 10, Chang et al. discloses the limitation of a switch fabric implemented on a chip (Fig. 1, column 5, line 33), Chang et al. does not disclose a switch fabric as defined in claim 1, wherein said array of cells forms a toroidal mesh arrangement. McCrosky et al. discloses the limitation of a switch fabric as defined in claim 1, wherein said array of cells forms a toroidal mesh arrangement (column 3, lines 6 – 9). It would have been obvious to modify Chang et al. to a switch fabric as defined in claim 1, wherein said array of cells forms a toroidal mesh arrangement such as that taught by McCrosky et al. in order to offer a powerful, simple and in many ways elegant solution to the problem of providing cost-effective, high-bandwidth, fault-tolerant data switching.

Conclusion

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Lee whose telephone number is (571) 272-3131. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ACL
08 November 2004


Ajit Patel
Primary Examiner